

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. Antonio Duwane Hill

Docket No. 4:09-CR-47-1H

Petition for Action on Probation

COMES NOW C. Lee Meeks, Jr., probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Antonio Duwane Hill, who, upon an earlier plea of guilty to Possession of Stolen Firearms and Aiding and Abetting, in violation of 18 U.S.C. §§ 922(j), 924, and 2, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on December 9, 2009, to a 60 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days.
4. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

On April 29, 2010, a DROPS Sanction Report was submitted to the court indicating Hill was to serve 2 days custody after he tested positive for marijuana on February 24, 2010.

On April 10, 2012, the court approved a Petition for Action on Probation modifying the conditions of probation to include 30 days home confinement with electronic monitoring after the defendant tested positive for marijuana on March 1, 2012. This sanction was in lieu of a DROPS 2-day jail sanction.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On March 20, 2013, the defendant submitted to urinalysis that proved positive for marijuana. When confronted with the violation, Hill admitted to the validity of the test. Since that time, he has tested negative for controlled substances, but has failed to comply with the Surprise Urinalysis Program as directed.

To the defendant's credit, he has maintained full-time employment with McDonald's Restaurant in Grantsboro, North Carolina, and is currently an assistant manager. Hill hopes to obtain a manager's position in the near future.

In consideration of the above, it is recommended Hill be continued on supervision and that he re-enroll in substance abuse counseling at PORT Human Services in New Bern, North Carolina. Additionally, he will continue to participate in the Surprise Urinalysis Program. The probation officer also recommends the conditions of probation be modified to include the defendant's participation in a cognitive behavioral program (Interactive Journaling) as directed by the probation officer.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate in a cognitive behavioral program, as directed by the U.S. Probation Office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ C. Lee Meeks, Jr.
C. Lee Meeks, Jr.
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-347-9038
Executed On: July 12, 2013

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ORDER OF COURT

Considered and ordered this 15th day of July, 2013, and ordered filed and made a part of the records in the above case.



.....

.....Malcolm J. Howard

.....Senior U.S. District Judge

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FOR JUDGE'S REVIEW ONLY

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